

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ALMOTAZ ALSHAZLI,

Plaintiff,

v.

AMERICAN SEAFOODS COMPANY LLC,
a Washington corporation and C/P
NORTHERN HAWK, her tackle, gear,
furniture, apparel, and equipment,

Defendants.

No. C04-1684L

ORDER COMPELLING DEPOSITION
AND AMENDING CASE
SCHEDULING ORDER

This matter comes before the Court on defendant's "Motion to Compel Deposition of Plaintiff and to Amend Case Scheduling Order" (Dkt. # 12) ("Motion to Compel"). Plaintiff is suing his former employer for injuries sustained on the vessel the Northern Hawk. See Complaint at 2-4. Defendant seeks an order compelling plaintiff to complete his deposition. In addition, defendant requests an extension of the expert disclosure and discovery cut-off dates, as well as the trial date itself. For the reasons set forth below, defendant's motion is granted.

Plaintiff speaks Arabic and, although he has some facility with English, requires an interpreter at his deposition. This has slowed the deposition process considerably. To date, there have been approximately 11 hours of testimony taken over the course of three days. See Reply at 2, n.1. Defendant claims approximately one hour is needed to complete the deposition.

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1 See Motion to Compel at 6; Reply at 3. Plaintiff initially offered a fourth day of testimony
2 limited to 30 minutes. See Motion to Compel at 4; Amended Response at 3. Defendant insisted
3 on an hour and plaintiff, in response, withdrew his offer of 30 minutes.¹ See Response at 3.

4 While the Court sympathizes with plaintiff for the inconvenient and fractured nature of
5 this deposition, defendant will be allowed an additional hour. Given the amount of damages
6 sought, the problems inherent in using an interpreter during deposition, and plaintiff's prior
7 willingness to allow defendant to resume the deposition, a one hour extension is reasonable.
8 The Court expects that the parties will conduct this deposition in as efficient a manner as
9 possible and that defendant will make every effort to finish the deposition within the one hour it
10 has been given.

11 In light of the above, defendant has shown good cause for extending the expert disclosure
12 and discovery cut-off dates.

13 For all the foregoing reasons, defendant's Motion to Compel Deposition of Plaintiff and
14 to Amend Case Scheduling Order (Dkt. # 12) is GRANTED. Plaintiff shall appear for
15 deposition at the office of defendant's counsel at a mutually agreeable time within thirty (30)
16 days of this order. The Court will issue an amended order setting the trial date and related dates
17 that reflects these extensions.

18 DATED this 25th day of April 2005.

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21 Robert S. Lasnik
22 United States District Judge
23
24

25 ¹ Plaintiff now opposes any continuation and, in the alternative, requests that any continuation
26 granted by this Court be limited to 30 minutes. Amended Response at 5.